

Customer No. 24498
Attorney Docket No.: PA040025
Office Action Dated: 08/08/2009

Remarks and Arguments

Claims 1 – 6 and 8 – 13 are pending. Claim 7 has been canceled and claims 8 – 13 have been added. Support for claims 8 – 13 can be found in paragraphs [0003] – [0008] and Figures 1, 6, 8 - 10. Claims 1, 2, and 4 have been amended to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is believed to be added by the present amendment.

The abstract has been amended to overcome the Examiner's objection.

Claim 2 has been amended, in accordance with the Examiner's suggested change, to overcome the Examiner's objection.

Claim 1 has been amended, in accordance with the Examiner's suggested change, to overcome the Examiner's rejection of claim 1 under 35 U.S.C. § 112, second paragraph.

No new matter is believed to be added by the present amendment.

Rejection of claims 1-2 and 5-7 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,412,798 issued to Garney (hereinafter referred to as "Garney").

Claims 1 – 2 and 5 - 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Garney. Applicants respectfully traverse this rejection for at least the following reasons.

The claimed invention relates to detecting when a user adds or removes removable media (e.g., memory card) loaded in a removable media device (e.g., card reader) that is connected to an audio visual recording device (e.g., PVR/ DVR). Typically, the removable medium contains a file structure which is loaded into the audio visual recording device when the removable medium is placed in the removable media device. However, if the removable medium is removed from the device and/or a different removable medium is loaded into the device, the audio

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visual recording device may not detect this change. This may create problems when a user attempts to access files stored on the removable medium.

In the claimed invention, the recording device initiates a check to determine the status of the removable media when it receives a user input that pertains to the removable media device. This is an improvement over a polling arrangement, which consumes valuable resources to continuously monitor the removable media device for any changes. When such a user input is received, the volume identifier of each removable media that is loaded in the removable media device is checked to determine if there has been a change. If such a change has occurred, then the status is updated and subsequently, the file structure is updated to reflect the change.

Amended claim 1 recites the following:

Method for determining a current status of a removable media device loaded with at least one removable medium associated with a characteristic feature, and being connected to a device for reading and/or writing AV storage media, comprising the steps of:

checking a type of user input upon occurrence of user input,
keeping the current status of the removable media device if the type of user input is not related to the removable media device,
checking whether a characteristic feature of the removable medium has changed, if the type of user input is related to the removable media device,
keeping the current status if the characteristic feature of the removable medium has not changed, and
updating the current status if the characteristic feature of the removable medium has changed.

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By contrast, Garney relates to loading into memory, device drivers for feature cards in a system with limited memory space in order to avoid having to periodically reset the system. The feature card contains a full device driver and a stub device driver portion. The full device driver provides all the functionality to control all the features on the feature card. The stub device driver is used to link the full device driver with the operating system of an associated computer system. A fixed amount of memory is allocated in the computer system for the device driver stubs. The feature cards are being added and removed dynamically. The device driver stubs are loaded into the fixed size area of memory. The memory space is reclaimed when the feature card is removed and another device driver stub requires the space.

The Examiner contends that the recited step of *"checking a type of user input upon occurrence of user input"* is recited in Garney at column 13 line 57 – *"Card event service routine 1101 is activated when a hardware event is detected by the computer system upon the insertion or removal of a feature card in any socket provided by the computer system."* Applicants respectfully disagree.

The user input of the claimed invention differs from an interrupt-driven hardware event. One skilled in the art would recognize that an interrupt-driven hardware event is not the same as user input. In fact, the claimed invention teaches away from such events – see paragraph [0059]: *"This has as one advantage that the user now will not need to first disconnect the reader from the machine and reconnect the reader back to the machine to do a card refresh. This will also greatly reduce possible wear and tear cause to the USB connected on the machine as user will not need to plug/unplug the reader every time he changes the card."* The claimed invention is an improvement over insertion and removal of a device and as such, the user input of the amended claim 1 is not recited in Garney.

The Examiner contends that the recited step of *"keeping the current status of the removable media device if the type of user input is not related to the removable media device"* is recited in Garney in column 14 line 35: *"if the hardware event causing the activation of card event service routine 1101, is neither a card insertion event nor a card removal event, processing path 1113 is taken to processing block*

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1117 where the unidentified event is recorded. Processing then terminates at bubble 1131." Applicants respectfully disagree.

In the above-referenced keeping step of amended claim 1, the current status is kept, that is, no change, is performed when the user input type is not related to the removable media device. By contrast, in Garney, the unidentified event is recorded. Keeping the current status differs from making a recordation of an unidentified event. Clearly, this step is not recited in Garney.

The Examiner contends that the recited step of *"checking whether a characteristic feature of the at least one removable medium has changed"* is recited in Garney in column 14, line 58: *"Decision block 809 tests whether or not the device driver stub for the newly installed card still resides in the computer system RAM based on the device driver stub unique identification."* Applicant respectfully disagrees.

In amended claim 1, checks are made on the characteristic feature of the removable medium. The cited reference in Garney checks if code on the card resides in the computer system RAM based on a unique identifier associated with the code. A check of a characteristic feature on a removable medium is not the same as a check for code loaded in RAM. Clearly, this step is not recited in Garney.

The Examiner contends that the recited step of *"keeping the current status if the characteristic feature of the at least one removable medium has not changed"* is found in Garney at column 14, line 61: *"If the stub still resides there, then the device driver stub executable code does not need to be loaded again."* Applicant respectfully disagrees.

This step in amended claim 1 pertains to leaving the current status unaltered. The cited section in Garney pertains to checking if executable code is found in memory. Clearly, leaving the status unaltered is not the same as checking if code is in memory. As such, this step is not recited in Garney.

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The Examiner contends that the step of *"updating the status if the characteristic feature of the removable medium has changed"* is found in Garney at column 14, line 65 and Figure 11: *"If the stub is not resident, processing path 812 is taken. Figure 11: Set command 680 to initialize. Set a card insertion flag in stub data to indicate that a card is inserted into a socket and accessible to computer system."* Applicant respectfully disagrees.

This step in amended claim 1 simply states that the status is updated when there was a change to the characteristic feature. The cited section in Garney recites determining whether code is already loaded into RAM and if it is, setting a command to initialize, which activates the device driver stub on the card (see Garney: Fig. 12 box 1009). The step of updating the status is not recited in Garney and as such, this step is not recited in Garney.

Accordingly, amended claim 1 is not anticipated by Garney. The remaining independent claim 8 recites the above-referenced features, and is believed to be patentably distinguishable over the cited reference for the same reasons as discussed with respect to amended claim 1. Furthermore, dependent claims 2 - 6 and 9 - 13 recite the features of their respective independent claims and are not anticipated by Garney for the aforementioned reasons.

Rejection of claim 3 under 35 U.S.C. §103(a) as being unpatentable over Garney and further in view of Yamauchi et al (US Patent 5,661,823).

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Garney in view of Yamauchi. Applicants respectfully traverse this rejection since Yamauchi is unable to remedy the deficiencies of Garney explained above in conjunction with amended claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over Garney and further in view of Edmondson (US Patent 3,619,585).

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Garney in view of Edmondson. Applicants respectfully traverse this rejection since Edmondson is unable to remedy the deficiencies of Garney explained above in

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conjunction with amended claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there are no additional fees due with regard to the filing of this response other than the one month extension of time. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,

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